

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Robert E. Coyle United States Courthouse
2500 Tulare Street, Suite 2501
Fresno, CA 93721-1318

(559) 499-5800
www.caeb.uscourts.gov
M-F 9:00 AM – 4:00 PM



**NOTICE OF REQUIREMENT TO FILE CERTIFICATION ABOUT A
FINANCIAL MANAGEMENT COURSE (Official Form 423)**

Case Number: 24-10441 – A – 13

Debtor Name(s) and Address(es):

James Reland Whitehead
296 N. Millard Ave.
Fresno, CA 93722

11 U.S.C. § 1328(g) requires that each debtor in a Chapter 13 case complete an instructional course in personal financial management after filing a bankruptcy petition. Proof of having taken this course must be filed by each debtor in the case. If your course provider does not notify the court that you have completed the course, you must file a Certification About a Financial Management Course (Form 423) or the course certificate your provider gave you. This course must be taken in addition to the credit counseling that is required before filing a Chapter 13 case. A list of approved training agencies is available online at <http://www.usdoj/ust/eo/bapcpa/ccde/index.htm>.

NOTICE IS HEREBY GIVEN THAT this bankruptcy case may be closed without entry of a discharge unless your course provider notifies the court that you have completed an instructional course in personal financial management; or, in the alternative, that each debtor files Form 423, the course certificate(s) your provider gave you, or a motion for extension of time to file one of these documents. These documents must be filed at the address shown above, no later than the date the last payment is made by the debtors as required by the plan. Once the case is closed without entry of a discharge, debtors must file Official Form 423 or the certificate provided by the course provider, a motion to reopen the case, and pay a reopening fee (currently \$235.00 in a chapter 13 case) to obtain a discharge.

Official Form 423 is printed on the reverse of this notice for your convenience. It is also available under "Official Forms" on the Forms and Publications page of the court's web site (www.caeb.uscourts.gov).

Dated: 5/18/24

Wayne Blackwelder
Clerk of Court

Fill in this information to identify the case:

Debtor 1	James Reland Whitehead		
	First Name	Middle Name	Last Name
<hr/>			
Debtor 2			
(Spouse, if filing)	First Name	Middle Name	Last Name
<hr/>			
United States Bankruptcy Court	Eastern District of California		
Case number:	24-10441		

Official Form 423

12/15

Certification About a Financial Management Course

If you are an individual, you must take an approved course about personal financial management if:

- you filed for bankruptcy under chapter 7 or 13, or
- you filed for bankruptcy under chapter 11 and § 1141 (d)(3) applies.

In a joint case, each debtor must take the course. 11 U.S.C. §§ 727(a)(11) and 1328(g).

After you finish the course, the provider will give you a certificate. The provider may notify the court that you have completed the course. If the provider does notify the court, you need not file this form. If the provider does not notify the court, then Debtor 1 and Debtor 2 must each file this form with the certificate number before your debts will be discharged.

- If you filed under chapter 7 and you need to file this form, file it within 60 days after the first date set for the meeting of creditors under § 341 of the Bankruptcy Code.
- If you filed under chapter 11 or 13 and you need to file this form, file it before you make the last payment that you plan requires or before you file a motion for a discharge under § 1141(d)(5)(B) or § 1328(b) of the Bankruptcy Code. Fed. R. Bankr. P. 1007(c).

In some cases, the court can waive the requirement to take the financial management course. To have the requirement waived, you must file a motion with the court and obtain a court order.

Part 1: Tell the Court About the Required Course

You must check one:

☐

I completed an approved course in personal financial management:

Date I took the course

MM / DD / YYYY

Name of approved provider

Certificate number

☐

I am not required to complete a course in personal financial management because the court has granted my motion for a waiver of the requirement based on (check one):

☐

Incapacity.

I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

☐

Disability.

My physical disability causes me to be unable to complete a course in personal financial management in person, by phone, or through the internet, even after I reasonably tried to do so.

☐

Active duty.

I am currently on active military duty in a military combat zone.

☐

Residence.

I live in a district in which the United States trustee (or bankruptcy administrator) has determined that the approved instructional courses cannot adequately meet my needs.

Part 2: Sign Here

I certify that the information I have provided is true and correct.

Signature of debtor named on certificate

Printed name of debtor

Date _____
MM / DD / YYYY